

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of HALEY SUE WILSON, Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DEBECCA L. JOHNSON,

Respondent-Appellant,

and

DEREK WILSON,

Respondent.

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UNPUBLISHED

October 26, 2006

No. 270235

Branch Circuit Court

Family Division

LC No. 05-003229-NA

Before: Cavanagh, P.J., Bandstra and Owens, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from an order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(g). We affirm.

The trial court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent-appellant had an extensive history with drugs. She tested positive for cocaine and marijuana when the child's younger sibling was born.<sup>1</sup> Respondent-appellant consistently tested positive for drugs throughout the proceedings and failed to see how her drug use could affect her ability to parent the child. Respondent-appellant was admonished on more than one occasion that further drug use jeopardized her parental rights. Still, respondent-appellant failed to follow professional advice that she seek inpatient or intensive outpatient services. Instead respondent-appellant moved in with relatives, with the idea that "rehab and my aunt's house is pretty much the same thing but there's more professionals at it."

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<sup>1</sup> The mother voluntarily relinquished her parental rights to that child.

Her testimony showed a lack of insight, and the passage of additional time would not have assisted in remedying respondent-appellant's substance abuse issue. In addition to substance abuse, respondent-appellant did not have a stable housing arrangement and continued to rely on others for her care. She was not in a position to take care of herself or the child.

Having found the foregoing subsections proven by clear and convincing evidence, the trial court was required to terminate respondent-appellant's parental rights unless it appeared from the record that termination was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The caseworker testified that respondent-appellant was not "vested" during visitation and that the last visit went particularly badly. The child was upset and respondent-appellant was unable to console her and just wanted to leave. The trial court did not dispute that respondent-appellant loved the child; however, respondent-appellant did absolutely nothing to resolve her drug problem. The child was entitled to permanence and stability.

Affirmed.

/s/ Mark J. Cavanagh  
/s/ Richard A. Bandstra  
/s/ Donald S. Owens